

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

FILED-CLERK
U.S. DISTRICT COURT
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TX EASTERN-MARSHALL

**COMPRESSION LABS,
INCORPORATED,**

Plaintiff,

v.

CIVIL ACTION NO. 2-04CV-158-DF

**ADOBE SYSTEMS,
INCORPORATED, et al,**

JURY TRIAL DEMANDED

Defendants.

MOTION TO DISMISS

NOW COME the Plaintiff, COMPRESSION LABS, INCORPORATED, and Defendant, ADOBE SYSTEMS, INCORPORATED, and respectfully move the Court to dismiss this cause of action against Defendant, ADOBE SYSTEMS, INCORPORATED, and in support thereof would respectfully show the Court as follows:

I.

All matters in controversy between the Plaintiff, COMPRESSION LABS, INCORPORATED, and the Defendant, ADOBE SYSTEMS, INCORPORATED, have been settled and compromised, and the parties therefore move to dismiss all causes of action asserted in this suit by Plaintiff against the Defendant, ADOBE SYSTEMS, INCORPORATED, with prejudice to the right to pursue any such claims in the future. The parties further move that all attorneys fees and costs of court be borne by the party who incurred them.

WHEREFORE, PREMISES CONSIDERED, the parties pray that this action be dismissed with prejudice as to the Defendant, ADOBE SYSTEMS, INCORPORATED, with all attorneys fees and costs of court being borne by the party who incurred them.

Dated: June 21, 2004

Respectfully submitted,

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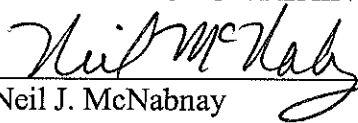
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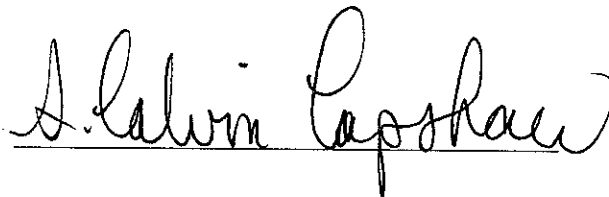
CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of June, 2004, a true and correct copy of the foregoing Motion to Dismiss was deposited in the United States Mail, postage prepaid, and addressed to the following counsel of record:

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JURY TRIAL DEMANDED

Defendants.

ORDER OF DISMISSAL WITH PREJUDICE

CAME ON THIS DAY for consideration the Motion to Dismiss of Plaintiff, COMPRESSION LABS, INCORPORATED, and Defendant, ADOBE SYSTEMS, INCORPORATED, to dismiss with prejudice all claims asserted in this cause, and the Court being apprised of the grounds therefor and being of the opinion that said motion should be GRANTED, it is hereby

ORDERED, ADJUDGED AND DECREED that all claims or causes of action asserted in this suit by Plaintiff, COMPRESSION LABS, INCORPORATED, against Defendant, ADOBE SYSTEMS, INC. are hereby dismissed with prejudice to the right of the parties to assert in the future any such claims.

It is further ORDERED that all attorneys fees and costs are to be borne by the party who incurred them.

SIGNED this ____ day of _____ 2004.

UNITED STATES DISTRICT JUDGE